

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public servant – M.Sambashiva Rao, S/o Shivaramaiah age:75 yrs, OCC: Municipal Commissioner (Retd) R/o.H.No.6-2-393, Subash Nagar, Nizamabad – Prosecution orders under section 197 (1) and (4) Cr.P.C. of 1973 in Cr.No. 24/2004 Under section 120 B, 420,409, 468, and 477A IPC of CID P.S., Hyderabad – Sanction Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (L1) DEPARTMENT

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G.O.Ms.No. 297

Date: 20-07-2010

Read:

1) From the Addl. DG.P., CID. Lr.C.No.4538/C-15/CID/09 dated. 4-5-2010.

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ORDER

1. Whereas, M.Sambashiva Rao, aged 75 years, worked as Municipal Commissioner, Nirmal in the year 1998 and now retired from service and he is a public servant within the meaning of Sec.21 of the Indian Penal code 1860 (Act 45 of 1860) and as such, he is a member of Municipal department, charged with maintenances of public order issued in G.O.Ms.No.631, Home (Courts-B) Department, dated 30-04-1974.

2. And whereas it was reported by the Addl. Director General of Police Crime Investigation Department, Hyderabad that during the investigation in Crime.No.24/2004 Under Section 120B, 420, 409, 468, and 477A, IPC of CID P.S., Hyderabad, it is revealed that the accused while working as Municipal Commissioner, Nirmal of Adilabad District during his tenure the government of A.P. released an amount of Rs.1.2 Crores for construction of individual sanitary latrines under integrated low cost semi toilets (ILCS) scheme sanction implements to Nirmal Municipality limits. He has submitted only 3,174 beneficiaries list to the verification Officers, whereas, there were 3,227 ILCS units were sanctioned by the Government of A.P., The payments were made to 885 units which were neither found nor constructed. The payments were also made to 345 old units which were already in existence prior to the launching of program the payments made to 136 units were incomplete in construction. The master register and acquaintance register were not maintained properly where in the government has given clear instructions. He issued cheques to the beneficiaries who were not benefited and also dead persons. He has not implemented the guidelines, of the Director of Municipal Administration, Hyderabad. He colluded with the Municipal Engineer and Nodel Officer, who worked in ILCS scheme conducted by the Government of A.P. Due to which, the total misappropriation went approximately to a tune of Rs. 43 lakhs to the government and thus committed offences punishable under sections 120 B, 420,409,468,and 477 A of the Indian Penal Code 1860 (Act 45/1860).

3. And whereas, the investigation conducted by Crime Investigation Department, Karimnagar Regional Crime Investigation Unit, in Cr.No.24/04 of CID P.S., Hyderabad revealed that Sri M.Sambashiva Rao, aged 75 years, who worked as Municipal Commissioner, Nirmal of Adilabad District in the years 1998 now retired from service committed offences punishable under sections 120 B, 420, 409, 468, and 477 A of the Indian Penal Code, 1860 (Act 45/1860).

4. And whereas, the Government of Andhra Pradesh, after careful examination of the documentary and oral evidence and the report of the Additional Director General of Police, Crime Investigation Department, A.P. Hyderabad, placed before them in respect of the above allegations consider that M. Sambashiva Rao, who worked as Municipal Commissioner, Nirmal in the year 1998 now retired from service should be prosecuted in the court of law for the above said offences and any other offences relating to the said incident.

5. Now, therefore, in exercise of the powers conferred by section 197 (1) of the Criminal Procedure Code, 1973 (Act 2 of 1974) read with Notification-II issued in G.O.Ms.No.631, Home (Courts.B) Department, dated 30-04-1974 the Government of Andhra Pradesh, Hyderabad hereby accord sanction for the prosecution of M.Sambashiva Rao, who worked as Municipal Commissioner, Nirmal in the year 1998 now retired from service for the said offences punishable under sections 120 B, 420, 409, 468, and 477 A of the Indian Penal Code, 1860 (Act 45/1860) and any other cognate offences punishable under other provisions of law in respect of the aforesaid acts while acting or purporting to act in the discharge of his official duties and for taking cognizance of the said offences by a court of competent jurisdiction.

6. The Government of Andhra Pradesh, further, in exercise of powers conferred by sub-Section (4) of section 197 of the Code of Criminal Procedure 1973 (Act 2/1974) here by authorizes, the Inspector of Police, CID, Regional Criminal Investigation Unit, Karimnagar to prosecute the above mentioned accused for the aforesaid offences.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(T.S.APPA RAO)  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Additional Director General of Police, Crime Investigation Department,  
Hyderabad.

Copy to :-

The Director General of Police, A.P. Hyderabad.

Law (E) Department.

SF-1, SC-3.